

Article - Health Occupations

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§8-6A-08.

(a) A certificate expires on the 28th day of the birth month of the nursing assistant or medication technician, unless the certificate is renewed for a 2-year term as provided in this section.

(b) (1) At least 3 months before a certificate expires, the Board shall send a renewal notice to the nursing assistant or medication technician by:

(i) First-class mail to the last known mailing address of the nursing assistant or medication technician; or

(ii) Electronic means to the last known electronic address of the certificate holder.

(2) A renewal notice shall state:

(i) The date on which the current certificate expires;

(ii) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the certificate expires; and

(iii) The amount of the renewal fee.

(3) If a nursing assistant or medication technician is required to have a criminal history records check before a certificate may be renewed, the Board shall send the nursing assistant or medication technician the documents necessary for initiating the criminal history records check in conjunction with the renewal notice required under paragraph (1) of this subsection.

(c) Before a certificate expires, a nursing assistant periodically may renew it for an additional term, if the certificate holder:

(1) Otherwise is entitled to be certified;

(2) Submits to the Board a renewal application on the form that the Board requires;

(3) Pays to the Board a renewal fee set by the Board; and

(4) Provides satisfactory evidence of completion of:

(i) 16 hours of active nursing assistant practice within the 2-year period immediately preceding the date of renewal; or

(ii) If the nursing assistant did not complete 16 hours of active practice as required under item (i) of this item, an approved nursing assistant training program or an approved nursing assistant refresher training program as required in regulations adopted by the Board in accordance with subsection (m) of this section.

(d) In addition to the requirements in subsection (c)(1), (2), and (3) of this section, a certified medicine aide shall:

(1) Provide satisfactory evidence of completion of 100 hours of practice as a certified medicine aide in the 2-year period preceding the date of renewal; and

(2) Successfully complete a Board-approved medicine aide continuing education program.

(e) Before a certificate expires, a medication technician periodically may renew it for an additional term, if the certificate holder:

(1) Otherwise is entitled to be certified;

(2) Submits to the Board a renewal application on the form that the Board requires;

(3) Pays to the Board a renewal fee set by the Board;

(4) Every 2 years, provides satisfactory evidence of completion of a Board-approved clinical refresher course; and

(5) Provides satisfactory evidence of completion of 100 hours of practice as a certified medication technician within the 2-year period preceding the date of renewal.

(f) The Board may grant a 30-day extension, beyond a certificate's expiration date, to a certificate holder so that the certificate holder may renew the certificate before it expires.

(g) The Board shall reinstate the certificate of a certificate holder who has failed to renew the certificate for any reason if the certificate holder meets the applicable renewal requirements of subsections (c) through (e) and (k)(1)(i)2 of this section.

(h) Subject to subsection (i) of this section, the Board shall renew the certificate of each nursing assistant or medication technician who meets the requirements of this section.

(i) (1) Within 60 days after a change has occurred, each certificate holder shall notify the Board in writing of any change in a name or address.

(2) If the certificate holder fails to notify the Board within the time required under this subsection, the Board may impose an administrative penalty of \$25 on the certificate holder.

(j) The Board shall pay any penalty collected under this subsection to the General Fund of the State.

(k) (1) (i) The Board shall require criminal history records checks in accordance with § 8–303 of this title on:

1. Selected applicants for certification as a certified nursing assistant who renew their certificates every 2 years as determined by regulations adopted by the Board; and

2. Each former certified nursing assistant who files for reinstatement under subsection (g) of this section after failing to renew the certificate for a period of 1 year or more.

(ii) An additional criminal history records check shall be performed every 12 years thereafter.

(2) On receipt of the criminal history record information of a certificate holder forwarded to the Board in accordance with § 8–303 of this title, in determining whether to initiate disciplinary action against the certificate holder based on the information received, the Board shall consider:

(i) The age at which the crime was committed;

(ii) The circumstances surrounding the crime;

(iii) The length of time that has passed since the crime;

- (iv) Subsequent work history;
- (v) Employment and character references; and
- (vi) Other evidence that demonstrates whether the certificate holder poses a threat to the public health or safety.

(3) The Board may not renew a certificate without written documentation that the applicant has submitted to a criminal history records check as required under § 8–303 of this title.

(l) (1) If an individual has been certified by the Board to practice as a nursing assistant or medication technician in the State in accordance with the requirements of this subtitle, the individual subsequently may be certified as a nursing assistant or medication technician on inactive status.

(2) The Board shall place a certificate holder on inactive status and record the inactive status in the Board’s database and on the Board’s website if the certificate holder:

(i) Submits documentation of a medical condition that the Board determines will prevent the certificate holder from practicing as a nursing assistant or medication technician; and

(ii) Completes the biennial application for inactive status and submits documentation of a continuing medical condition.

(3) A certificate holder on inactive status may apply for reactivation of the certificate if the certificate holder:

(i) Submits documentation satisfactory to the Board that the medical condition for which the inactive status was granted no longer exists; and

(ii) Meets the renewal requirements of this section.

(4) If a certificate holder meets the requirements of paragraph (3) of this subsection, the Board shall:

(i) Record the status of the certificate holder as active in the Board’s database and on the Board’s website; and

(ii) Reactivate the certificate holder’s certificate to practice as a nursing assistant or medication technician in the State.

(5) The Board may not charge a fee to place the certificate holder on or remove the certificate holder from inactive status under this subsection.

(6) Inactive status:

(i) May not be considered a disciplinary action under § 8–6A–10 of this subtitle; and

(ii) May not be reported to any certifying entity, employer, or insurance company as a disciplinary action.

(m) (1) The Board shall adopt regulations to specify:

(i) The circumstances under which a nursing assistant, as a condition of renewal, is required to complete either an approved nursing assistant training program or an approved nursing assistant refresher training program; and

(ii) The number of didactic instruction hours and clinical training hours the nursing assistant training program or nursing assistant refresher training program must have to be approved.

(2) Regulations adopted under paragraph (1) of this subsection must be consistent with federal law.

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